



EXAMINATION OF THE BOURNEMOUTH, CHRISTCHURCH AND POOLE LOCAL PLAN

Inspectors : Helen Hockenhull BA(Hons) B.PI MRTPI and

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Programme Officer: Ian Kemp

Steve Dring
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Civic Centre,
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BH15 2RU

3 March 2025

By Email

Dear Mr Dring,

Examination of the Bournemouth Christchurch and Poole (BCP) Local Plan

1. Initial hearing sessions were held between 21 and 23 January 2025 to examine compliance with statutory procedures and legal compliance, including the Duty to Cooperate (DtC), housing needs and the housing requirement. We would like to thank the Council and all other participants for their helpful contributions at these hearing sessions. We are now able to set out our conclusions on the matters considered and our overall position on the examination going forward.
2. We acknowledge that neighbouring authorities have not argued that there is a failure to meet the DtC, though a number of representatives from the development industry have done so. What is important is the actions of the Council during the preparation of the Plan to engage with neighbouring authorities and the evidence that this has been constructive, active and ongoing. After very careful consideration of all the evidence, and for the reasons detailed below, we have unfortunately concluded that the Council has failed the DtC in respect of the preparation of the Plan.
3. The Local Plan as submitted sets out in the Spatial Strategy and at paragraph 4.10 that it takes a constraints-based approach that seeks to deliver 1,600 homes per annum in recognition of the numerous constraints and land availability challenges in the area, including Green Belt. Such an approach appears to accord with paragraph 145 of the December 2023 National Planning Policy Framework (the Framework) which states "*Once established, there is no requirement for Green Belt boundaries to be reviewed when plans are being prepared or updated*". However, this approach means that the Plan does not meet the 2,806 homes per annum standard method

housing need calculation for the local authority. With reference to the DtC, paragraph 26 of the same Framework states *“Effective and ongoing joint working between strategic plan making authorities and relevant bodies is integral to the production of a positively prepared and justified strategy. In particular, joint working should determine whether development needs that cannot be met wholly within a particular plan area could be met elsewhere”*.

4. It is clear from the evidence before us that there has been a history of cooperation and joint working with neighbouring authorities during plan preparation on a range of cross boundary issues, in particular with regard to transport, habitat sites and employment needs. However, whether the DtC has been met in regard to housing need has always been of concern to us and this was discussed in depth at the hearing sessions.
5. Based on the submitted evidence, we set out a chronology of the Council's engagement with neighbouring authorities during the preparation of the Plan below.
6. With regard to Dorset Council, we understand that monthly meetings took place with Officers to discuss a range of cross boundary matters including housing under the DtC. There were also Member meetings as part of a Joint Strategic Planning and Transport Advisory Group (JSPTAG) on a regular basis.
7. During 2021 at the pre-Regulation 18 Stage, it was clear from the notes of the JSPTAG meetings that joint working was being undertaken with a number of joint studies taking place. It was reported at the meeting on 24 February 2021 that the Council was scrutinising urban potential and that at that time unmet need could not be quantified but that this would become clearer when further urban potential work had been completed.
8. The Regulation 18 consultation took place from 10 January to 25 March 2022. The document presented two options for meeting the need for homes. Firstly, to meet the standard method housing need figure which would involve increased densities in the urban areas and Green Belt release, or, secondly, to identify a lower locally derived housing need figure, which may involve some limited areas of Green Belt release in addition to increased densities.
9. At an Officer meeting with Dorset Council on the 8 March 2022, just before the close of the Regulation 18 consultation, BCP Council set out a potential unmet need of 12,000 homes and queried whether this need could be met in an area of search beyond the Green Belt in Dorset. Due to the lack of meeting notes, it is unclear what Dorset's response to this was, except for a recognition that the area of search was remote and included an Area of Outstanding Natural Beauty (AONB), now National Landscape.
10. After March 2022, we have no evidence of discussions about strategic housing matters until November 2022, a gap of around 8 months. Unmet housing needs were discussed at this meeting, but we have no detail of the discussions as no notes have been made available. We understand that the unmet need figure was calculated at that time to be around 16,000 homes.

11. We were advised at the hearing sessions that during this period, the Council was awaiting the Government's consultation on its proposed changes to the Framework. This was published in November 2022 and set out that there was no requirement for Green Belt boundaries to be reviewed or changed when plans were being prepared or updated. The Council's Local Plan Advisory Group met in December 2022 and recommended that Officers pursue an urban intensification strategy that involved no Green Belt release.
12. At the DtC meeting with Dorset Council Officers on 4 January 2023, BCP Council Officers set out four possible options for urban intensification. All options resulted in an unmet need against the standard method housing figure, ranging from between 8,000 and 20,000 homes. In the absence of any meeting notes or minutes, it is unclear what was actually discussed and whether strategies for meeting the unmet need were considered.
13. After January 2023 up until March 2024, it seems that the DtC meetings between the two authorities concentrated on nutrient neutrality and other issues. We have no evidence that housing needs were in fact discussed at all during this time.
14. The Regulation 19 consultation on the proposed Submission Plan, took place from 20 March to 3 May 2024. The Statement of Common Ground with Dorset Council dated 20 March 2024 (SD8a), which was prepared to accompany the Regulation 19 consultation, stated that in relation to unmet housing need, no formal request was made to them because BCP Council's locally derived figure for objectively assessed housing need did not merit such a request. This does not appear to be in accordance with the Plan at that stage, which made it clear, as set out in paragraph 3 above, that a constraints-based approach had been adopted.
15. Turning to engagement with New Forest District Council (NFDC), a number of DtC meetings were held between 23 November 2022 and 16 April 2024, the period between the Regulation 18 and Regulation 19 stages. A note of the meeting on 23 November 2022 outlines that housing issues were discussed. BCP Council indicated that their approach was to develop a housing requirement figure based on the amount of suitable and available land that could realistically come forward under a constraints-based approach that sought to protect the Green Belt. The meeting updated the respective Councils on the work they were undertaking. BCP Council indicated that they were likely to have an unmet need of around 16,000 homes and NFDC indicated that they too were likely to have unmet need. There is nothing in the meeting note to suggest that a strategy to meet that need was discussed.
16. A number of further DtC meetings took place between BCP Council and NFDC between November 2022 and March 2024. However, these appear to be Working Group meetings involving other authorities in the Hampshire area, specifically to address mitigation for the River Avon SAC and the New Forest habitat site mitigation strategy. Unmet housing need does not appear to have been discussed again between the two authorities until the preparation of the Statement of Common Ground (SoCG) with NFDC, Hampshire County Council and the New Forest National Park Authority (NPA) published in March 2024 (SD8b). Similar to the SoCG with Dorset Council of the same date, the document stated that no request had been made for NFDC to assist BCP Council with their unmet housing needs.

17. In respect to the NPA, only a very small part of the authorities' administrative boundaries overlap. The NPA does not receive a housing requirement based on the standard methodology but instead may identify a housing need figure based on a method determined locally. The Statement of Compliance with the DtC (SD9), confirms that the NPA are not in a position to accommodate unmet housing needs which is not surprising given their environmental constraints. Consequently, the Council did not make a formal request to the NPA to assist in meeting their unmet need. We agree with this approach.
18. On 14 June 2024 the Council sent a letter to Dorset Council and NFDC formally asking if the respective authorities could meet any of BCP's unmet need. This was two weeks before the submission of the Plan for examination. Both Council's responses were received after 27th June 2024, the Plan submission date.
19. In their response dated 16 October 2024, Dorset Council recommended that BCP Council undertake a review of their supply in light of the suggestions and opportunities they had identified in their letter, before concluding that the local housing need could not be met within the BCP Council area. It was also recommended that BCP Council engage in a full and thorough review of the Green Belt alongside Dorset Council, to identify those areas most suitable for release with the aim of meeting housing need in the most sustainable locations.
20. NFDC responded to the Council's letter on 5 November 2024. The letter stated that the Council were not able to commit to identifying any suitable land within their Plan area to address unmet housing needs arising from BCP.
21. We questioned why the formal request had not been made earlier. The Council indicates in their hearing statement that the letters went out to formalise what was an already known, and accepted position. In the case of NFDC, it was expected that they would therefore be unable to meet their own needs due to the areas constraints and they would therefore be unable to assist BCP Council. In contrast, Dorset Council did not indicate that there were no opportunities to meet the unmet need from BCP, as stated in paragraph 4.12 of the submitted Plan. Rather, Dorset Council's position was that they would consider accommodating some of the unmet need in Dorset if there was full and thorough evidence that all opportunities for development within the BCP area had been maximised. To our minds, this was an entirely reasonable pre-requisite to Dorset Council's further consideration of whether it would be able and willing to meet some or all of BCP's unmet housing needs.
22. Irrespective of whether the positions of the neighbouring authorities were known or not, there is nevertheless, a need to provide DtC evidence consistent with paragraphs 24-28 of the Framework and Planning Practice Guidance (PPG). These documents refer to the preparation of SsoCG to document the cross-boundary matters being addressed and the progress in cooperating to address these.
23. The SsoCG with Dorset and NFDC, (SD8a and SD8b) which we have already referred to, are unhelpful in this regard. They simply refer to the Council's locally derived figure of 1,600 homes and identify the shortfall of 1,206 pa against the standard method. The statements provide no detail of the discussions which have taken place, or the outcome.

24. Given the above, we have come to the following conclusions:
- i. The Council was aware from late 2022 that there would be an unmet need against the standard method figure, whichever option for urban intensification they chose to pursue.
 - ii. There were significant gaps in the engagement with both Dorset Council and NFDC in the period between the Regulation 18 and 19 stage, a key time in the preparation of the Plan. Constructive, active and ongoing engagement did not take place during this critical time.
 - iii. There was no clear request to neighbouring authorities to take BCP's unmet housing needs prior to finalising the publication of the proposed Submission Plan for Regulation 19 consultation.
 - iv. The formal request to the neighbouring authorities was made only two weeks before the submission of the Plan for examination. The submission was made without waiting for the authorities' responses. Furthermore, the Council were aware from Dorset Council's Regulation 19 consultation response, that the Council were not likely to completely reject the request.
 - v. Dorset Council were willing to discuss the options further prior to reaching a decision on whether they were able to accommodate some unmet housing need. Rather than carry out such engagement, BCP Council chose to submit the Plan for examination.
25. In light of the above, we conclude that BCP Council did not constructively and actively engage with Dorset Council and NFDC on an ongoing basis during the preparation of the Plan in relation to the aim of seeking to ensure that housing needs not met in the BCP Council area might be met elsewhere.
26. The Council suggest it has been difficult to engage with neighbouring authorities because their Local Plans are at different stages of preparation. In the case of Dorset, it is hoped to adopt a borough wide Plan in late 2026/ Spring 2027. NFDC adopted their Plan in 2020, and a review has commenced. The timing of individual plans does not however prevent engagement. Whilst the BCP Local Plan was at a more advanced stage, unmet need could have been assessed, and subsequent discussions informed the preparation of the neighbouring authorities emerging plans. We are aware that Council elections took place during the preparation of both Dorset and BCP Council's emerging plans. Whilst during the 6-week pre-election period it would not be possible to involve Members, this should not have had an effect on the ability of Officers to continue to engage under the DtC. In any event, the shortcomings we have identified span a much longer period of time than this.
27. We also understand that BCP Council felt under pressure to submit their Plan for examination as soon as possible. This is because of the requirement to have a local plan in place five years after the formation of the new local authority i.e. April 2024, in accordance with the consequential order, otherwise the Government could step in and take over plan making. However, the Plan was submitted after that date and would not be in place for at least 12-18 months, so this target was not going to be met in any case.
28. This pressure to get an adopted plan in place does not justify a lack of meaningful engagement with neighbouring authorities, particularly Dorset Council and does not obviate the requirement to meet the DtC. Greater collaboration and joint working

under the DtC through the Plan's preparation between the Regulation 18 and 19 stages, could have led to an agreed strategy to address unmet housing need. We accept that this may have resulted in a delay in the Plan being submitted for examination, but it could have resulted in an agreed strategy for some or all of BCP's unmet housing needs to be met.

29. On the basis of all the evidence before us, and for the reasons set out above, we therefore conclude that the Council has failed to engage constructively, actively and on an ongoing basis during the preparation of the Plan so far as it relates to the strategic matter of housing. The DtC in section 33A of the 2004 Act has not been complied with. Unfortunately, this cannot be remedied during the examination process.
30. The Council has raised various points with us about the standard method and the reasoning behind departing from it. By and large, these are soundness issues rather than matters that relate directly to the DtC. However, given the Council's position on these issues, as they may have an indirect bearing on the DtC, and for completeness, we now turn to consider those points .
31. We recognise that BCP had concerns about the standard method and felt that it may overestimate housing needs, in which case there would not be an unmet housing need. However, that is not the basis on which the Plan was submitted; it is clear its housing provision is based on Green Belt constraints.
32. Moreover, if the Council were of the view that the housing need figure was such that there were no unmet needs, it is unclear why the Council then asked its neighbours to meet its unmet needs two weeks prior to submitting the Plan.
33. In any case, based on what we have read and heard at the hearing sessions, we are not persuaded that there are 'exceptional circumstances' in BCP which justify an alternative approach to assessing housing need. The 'Review of Housing Need' (HOM1b) by Icenis is dated December 2021 and relies on demographic information published before the 2021 Census. In our view, it is increasingly out-of-date, and it is unclear whether its conclusions are supported by more recent information. In particular, our attention has been drawn to the fact that in 2022, when compared to BCP, the population of 27% of local authorities in England had diverged further away from where the 2014-based population projections indicated they should be (according to revised ONS population estimates). Moreover, it is unclear why the Icenis analysis has not been updated to confirm whether its conclusions are still valid in light of more recent data.
34. The 2021 Census showed that the number of households in BCP was below that envisaged by the 2014-based household projections. However, that may simply reflect (at least in part) suppressed household formation resulting from housing affordability and availability issues. In this regard, there is a longstanding track record of under-delivery against previous housing requirements, and there are acknowledged affordability issues in the area.
35. In the hearing sessions, the Council sought to defend its position by asserting that outflows of international students from Bournemouth may have been undercounted in the 2014-based population projections. In this regard, the consultation that preceded

the 2023 version of the Framework had proposed including “*university towns with an above-average proportion of students*” as an example of where an alternative approach to the standard method may be justified. However, that example was not carried forward into the final 2023 version of the Framework. In any case, the Icen analysis (HOM1b) states that “*whilst student numbers have fluctuated over time there are no clear trends, either for specific periods or over time generally*”. It concludes that “*student migration is unlikely to be able to explain the very large differences seen in estimates of migration and population growth in the period to 2014 and the period to 2020*”. Accordingly, the Council’s own evidence does not support its position in relation to outflows of international students.

36. The Framework identifies (at footnote 25) “*islands with no land bridge that have a significant proportion of elderly residents*” as the sole example of a situation that may justify an alternative approach to assessing housing need. This would appear to apply only to a tiny number of authorities. Whilst this is an example and is not intended to be exhaustive, it bears no comparison whatsoever to the situation here. Moreover, the PPG guidance that accompanied the 2023 Framework further states that there is “*an expectation that the standard method will be used*”. In our view, and based on the evidence before us, ‘exceptional circumstances’ have not been demonstrated to justify the use of an alternative approach to the standard method in BCP.
37. In the light of the failure to adequately discharge the DtC, there are two options open to the Council, either to withdraw the Plan from examination or to ask that we write a report setting out our conclusions. The latter option would incur further expense, and the contents of our report would likely be very similar to this letter.
38. We are aware that the Council will be very disappointed with our findings. We have not come to this conclusion lightly, and we appreciate the amount of work that the Council has put in to date to get the Plan to the current stage. We await to hear from the Council as to whether it proposes to withdraw the Plan from examination. It would be helpful if the Council could indicate when they anticipate being able to provide a response to our letter. In the meantime, we would be grateful for this letter to be posted on the examination webpage. However, we are not inviting, nor envisaging accepting, any comments from other parties.

Yours sincerely,

Helen Hockenfull and Thomas Hatfield

INSPECTORS